

The Westfield-Washington Advisory Plan Commission held a meeting on Monday, October 20, 2008 scheduled for 7:00 PM at the Westfield City Hall-Council Chambers.

**Opening of Meeting 7:00 PM**

**Roll Call** – Note Presence of a Quorum

**Commission Members Present:** Robert Smith, President; Cindy Spoljaric, Vice-President; Pete Emigh (arrived 7:06), Robert Horkay, Ginny Kelleher, Daniel Degnan, Bill Sanders and Rob Stokes.

**Commission Members Absent:** Bob Spraeztz

**City Staff Present:** Gregory J. Anderson, Director Community Development; Brian Zaiger, City Attorney; and Al Salzman, Senior Planner

**Approval of the Minutes:**

Motion: To approve the September 15 Public Hearing Meeting Minutes as presented.

Motion by: Horkay; Second by Stokes; Approved by Voice Vote

Anderson reviewed the agenda and any changes.

**PROCEDURAL**

Case No.	0811-PUD-03
Petitioner	Oak Ridge Pointe PUD
Description	East State Road 32 & Oak Ridge Road ( <i>no address assigned</i> ) Request to modify mailed legal notice from requirements of Rules of Procedure due to size of PUD and extent of PUD for the Oak Ridge Pointe PUD petition, scheduled to appear at 11/03/08 Workshop and 11/17/08 Public Hearing.

Anderson reviewed the waiver request.

Mr. Jon Dobosiewicz, Nelson & Frankenberger, discussed the notice area as well as the proposed notice area and the reason for the waiver request.

Discussion followed regarding:

- Degnan stated his belief in the Commission's responsibility to maintain the notification process.

- Spoljaric asked if the vote needed to be unanimous for the waiver; the Commission's Rules of Procedure were reviewed and it was determined a majority vote was needed.

Motion: To approve Waiver Request to waive notice requirements and be required to give notice to only the proposed notice area for 0811-PUD-03.

Motion by: Stokes; Second by: Horkay; Vote: 7-1 (Degnan)

The Public Hearing Rules and Procedures were reviewed.

Anderson reviewed continued items on the agenda.

### **NEW BUSINESS**

Case No.	0805-DP-05 & 0805-SIT-04
Petitioner	Paddack's Heavy Transport
Description	18792 North US 31) Requests Development Plan Review and Site Plan Review of an accessory building, approximately six and a half (6.5) acres in the GB-PD District.

Anderson reviewed the petition history and the continuance request.

Mr. Brian Cross, Civil Site Group, presented the details of the continuance request stating the Petitioner has approached INDOT as well as their consultant, RW Armstrong, to propose an alternative drive access to their property which will be severed from US 31 in the future. Cross also reviewed the petition history, landscaping, and shared a new, updated site plan. He also submitted for the file a letter sent to the six surrounding property owners asking to meet in the near future to discuss the viability and merit of their properties being encumbered by the public way which is believed to be an added economic benefit to the intersection.

Discussion followed regarding:

- Kelleher stated that the bylaws state ... "postponement and continuance requests regardless of who they were generated by to a date more than six months beyond the original noticed meeting, shall not be granted. Commission shall dismiss such pending requests..."
- Smith stated the Commission should follow the bylaws and that this petition should be a dismissal under our guidelines.

Zaiger advised the Commission need take no action at this time. He stated the petition will be on the agenda for November when the six months ends and the petition will be withdrawn automatically if the petition is not heard.

Case No. 0809-DP-12 & 0809-SIT-10  
Petitioner Peacock Carey, LLC  
Description 17404 Carey Road; Peacock Carey, LLC requests Development Plan Review and Site Plan Review of a new commercial building, approximately one and six-tenths (1.62) acres, in the LB District.

Anderson reviewed the petition history stating this petition had been continued in order to allow the petitioner to submit amended plans.

Salzman reviewed the staff report and briefly discussed public works, access, dumpsters, Thoroughfare Plan and stated this petition is in compliance with Westfield ordinances.

Mr. Michael House stated his understanding of the project being in compliance and answered Commission questions.

Discussion followed regarding:

- Spoljaric questioned tree preservation.
- House responded 72 trees have been preserved and relocated on the site.
- Spoljaric stated the landscape plan shows ornamental trees with a 1 ½” caliper and the requirement is 2”.
- Kelleher asked for clarification on building materials, the Midland Trail, and the caliper issues on the ornamental trees.
- Spoljaric expressed concern about the number of cuts, traffic issues and circulation.
- Degnan asked about the Enforcement process regarding the dumpster.
- Anderson responded with the details of the Enforcement process.

A Public Hearing opened at 8:02 p.m.

No one spoke and the Public Hearing closed at 8:03.

Motion: To approve 0809-DP-12 with the following condition:

- That all necessary approvals and permits be obtained from the WPWD and the Hamilton County Surveyor’s Office prior to the issuance of an ILP for the proposed building.

Motion by: Emigh; Second by: Stokes; Vote: 7-1 (Spoljaric)

Case No. 0810-DP-13 & 0810-SIT-11  
Petitioner The Gene Glick Company  
Description 601 West State Road 32 (*approximate address*) requests Development

Plan Review and Site Plan review of a proposed self-storage facility, approximately 30 acres, in the Eagletown PUD District.

Anderson reviewed the petition history.

Salzman reviewed the staff report and discussed the amended site plan. He briefly discussed the Standards of the Eagletown PUD, and the fact that this petition addresses less than seven acres of the total thirty acres. He further stated that the petitioner will have to come back in the future for development plan review for the portion north of SR 32. Salzman stated this petition has been found by staff to be compliant and recommends that the Commission approve with noted conditions.

Discussion followed regarding:

- Spoljaric stated the Eagletown PUD requires development plans be brought forward in thirty acre increments. She expressed concern regarding the desire for consistency of the Eagletown PUD and that these businesses be brought forward to be integrated. While she understands that legally they have filled the requirement, it is not a full development plan. She also expressed concern about the boat and storage area.
- Kelleher stated there needs to be more explanation of what “short-term” means.

Dobosiewicz introduced guests Beau Wilfong, Property Owner; Bruce Sklare and Doug Elmore, Gene B. Glick Co.; Ed Fleming, Weihe Engineers; Ephraim Wilfong, Wilfong Land Company; and Jim Shinaver, Nelson & Frankenberger and presented further details of the proposal. He discussed elevations, screening, lighting and lighting fixtures, signage, landscaping, and the proposed outside storage area. He stated they have reached resolution with the Parks Department relative to the Midland Trace Trail.

Further discussion followed regarding:

- Kelleher asked for more details regarding the temporary outside storage.
- Kelleher asked about the height of the screening and expressed concern about the apartments to the south having to look down on to the outside storage.
- Sanders suggested there be some type of height limit on any materials, vehicles, etc. stored in the center so it does not exceed the height of the buildings from a visibility standpoint.

A Public Hearing opened at 8:42 p.m.

Mr. Brian Morales shared some thoughts for the project although he stated he really had no true issues with the project.

The Public Hearing closed at 8:48.

Dobosiewicz responded to public hearing comments.

Motion: To approve 0810-DP-13

Motion by: Emigh; Second by: Sanders;

Amended Motion: To approve 0810-DP-13 with the following conditions:

1. That all necessary approvals and permits be obtained from the WPWD and the Hamilton County Surveyor's Office prior to the issuance of an ILP for the proposed self-storage facility;
2. The petitioner shall either construct the trail to the specifications of the Westfield Parks and Recreation Department in the location deemed appropriate once the trail is constructed to the east, or to providing a guarantee of adequate funds to construct the required portion of the trail at such time as the Parks Department deems appropriate; and
3. Emergency connection between the southernmost emergency access gate and the Midland Trail be constructed by the petitioner to the specifications of Westfield Fire should Westfield Fire require such improvement.
4. As noted on page two of arch, access circulation, north of SR 32 and should not be considered established by
5. No piece of equipment in the outside storage area shall be higher than 14 feet.

Motion by: Kelleher; Second by: Sanders; Vote: 8-0.

### **PLAN COMMISSION COMMENTS**

Spoljaric asked for an update on the zoning ordinance interviews.

Anderson responded staff is in the process of speaking with one more individual. He also stated staff will be meeting with Mayor Cook and Council President Kingshill in the near future to come up with a formal recommendation to present to the City Council, as well as the Advisory Plan Commission and the Board of Zoning Appeals.

Spoljaric asked for an update on the zoning ordinance rewrite.

Anderson responded that the rewrite has been put on hold due to the interviews; however, staff is still working on landscaping, signage, etc.

### **MISCELLANEOUS**

Anderson announced that Al Salzman has resigned from Westfield Community Development; his last day is Tuesday, October 21, 2008. He further stated Salzman has accepted a position with the Town of Avon as the Director of Planning.

**ADJOURNMENT** (8:57)

Approved (date)

\_\_\_\_\_  
President, Robert Smith, Esq.

\_\_\_\_\_  
Vice-President, Cindy Spoljaric

\_\_\_\_\_  
Secretary, Gregory J. Anderson, AICP